

**United States District Court  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**STATE FARM LLOYDS,**

**Plaintiff,**

**v.**

**FC ACQUA, LLC d/b/a THE FLOAT SPOT,  
GRETA S. ANTHONY, and DAVID PORTER,**

**Defendants.**

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**Civil Action No.: 4:18-cv-00758**

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, the matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 26, 2019, the report of the Magistrate Judge (the “Report”) (Dkt. #28) was entered, containing proposed findings of fact and recommendations that Plaintiff State Farm Lloyds’ (“State Farm”) Motion to Dismiss its Complaint for Declaratory Judgment (Dkt. #23) be granted. *See id.* Defendants FC Acqua, LLC (“The Float Spot”), Greta S. Anthony, and David Porter (collectively, “Defendants”) have asserted counterclaims in this matter. *See* Dkt. #23 at 4.

Having received the Report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions of the Court. Therefore, State Farm’s Motion to Dismiss its Complaint for Declaratory Judgment (Dkt. #23) is **GRANTED**. State Farm’s claims are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

**SIGNED this 11th day of April, 2019.**

A handwritten signature in black ink, reading "Amos Mazzant". The signature is written in a cursive style with a horizontal line underneath it.

AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE